

Serial No.: 09/944,807

REMARKS

In response to the election/restriction requirement dated October 17, 2002, Applicants hereby elect Group I, claims 1-10 (in part), drawn to a method for determining whether a substance is an activator or an inhibitor of an ILM receptor, wherein the receptor comprises SEQ ID NO:2 (or generically claimed variants thereof).

As the date set for response to this Communication fell on a Sunday (November 17, 2002), no Petition for Extension of Time, with the fee is believed to be due. However, if such a Petition and fees are due, the USPTO is hereby authorized to charge any required extension of time fees to our Deposit Account No. 02-2955 pursuant to the, submitted herein.

Applicants reserve the right to prosecute in one or more divisional applications whatever subject matter is not allowed here.

Upon entry of this preliminary amendment, claims 1-73 are presently pending. Support for new claims 65-73 can be found throughout the specification and claims as originally filed. In particular, support for new claim 65 (and claims 66-73 dependent thereon) can be found, *inter alia*, in the specification at page 2, lines 19-30 and page 3, 12-18. Support for claims 66 and 67 can be found, *inter alia*, in the specification at page 3, lines 12-19. Support for claim 68 and 69 can be found, *inter alia*, in the specification at page 6, lines 1-4 and 13-28. Support for claim 70 can be found, *inter alia*, in the specification at page 6, lines 13-17. Support for claims 71-73 can be found, *inter alia*, in the specification at page 4, lines 17-25. No new matter has been added.

Applicants submit that new claims 65-73 read on elected Group I, drawn to a method for determining whether a substance is an activator or an inhibitor of an ILM receptor, wherein the receptor comprises SEQ-ID NO:2 (or generically claimed variants thereof) and respectfully request inclusion of claims 65-73 into Group I.

An examination on the merits is respectfully requested. The Examiner is invited to contact the undersigned at the telephone number listed below with respect to any questions that may arise regarding this application.

Respectfully submitted,



- Susan K. Pocchiarri -
Attorney for Applicant(s)
Reg. No. 45,016

Patent Department
Boehringer Ingelheim Corp.
900 Ridgebury Road
P.O. Box 368
Ridgefield, CT. 06877
Tel.: (203) 798-5648